

1 BROWN RUDNICK LLP  
2 David J. Molton (SBN 262075)  
(DMolton@brownrudnick.com)  
3 Eric R. Goodman (pro hac vice pending)  
(EGoodman@brownrudnick.com)  
4 Marek P. Krzyzowski (pro hac vice pending)  
(MKrzyzowski@brownrudnick.com)  
5 Seven Times Square  
6 New York, New York 10036  
7 Telephone: (212) 209-4800  
8 Facsimile: (212) 209-4801

9 BROWN RUDNICK LLP  
10 Joel S. Miliband (SBN 077438)  
(JMiliband@brownrudnick.com)  
11 2211 Michelson Drive, Seventh Floor  
Irvine, California 92612  
Telephone: (949) 752-7100  
Facsimile: (949) 252-1514

12 *Attorneys for Fire Victim Trustee*

13 MACCONAGHY & BARNIER, PLC  
14 John H. MacConaghy (SBN 83684)  
645 First St. West, Suite D  
Sonoma, CA 95476  
Telephone: 707.935.3205  
Facsimile: 707.935.7051  
Email: macclaw@macbarlaw.com

15 *Special Counsel for Official Committee  
16 of Tort Claimants*

17  
18 **UNITED STATES DISTRICT COURT**  
19 **NORTHERN DISTRICT OF CALIFORNIA**  
20 **OAKLAND DIVISION**

21 PARADISE UNIFIED SCHOOL  
22 DISTRICT, ET AL,

23 Case No. 20-cv-05414 (HSG)

24 Appellants,

25 Bankruptcy Case No. 19-30088 (DM)

26 v.

27 FIRE VICTIM TRUST, ET AL,  
28 Appellees.

**JOINT STIPULATION  
AND ORDER SCHEDULING  
HEARING ON MOTION TO  
DISMISS APPEAL**

29  
30 Judge: Hon. Haywood S. Gilliam, Jr.

1                   Appellees, the Honorable John K. Trotter (Ret.), as trustee of the Fire Victim  
 2 Trust (the “**Trustee**”), and the Official Committee of Tort Claimants (the “**TCC**”),  
 3 and Appellants, Adventist Health System/West and Feather River Hospital d/b/a  
 4 Adventist Health Feather River (each a California nonprofit religious corporation);  
 5 Paradise Unified School District, Northern Recycling and Waste Services,  
 6 LLC/Northern Holdings, LLC, and Napa County Recycling & Waste Services,  
 7 LLC/Napa Recycling & Waste Services, LLC; and Comcast Cable Communications,  
 8 LLC and all affiliates, hereby stipulate as follows:

9                   WHEREAS, the Trustee and the TCC filed the *Joint Motion of the Fire Victim*  
 10 *Trustee and the Official Committee of Tort Claimants to Dismiss as Moot the Appeal*  
 11 *of Paradise Unified School District, et al.* on October 2, 2020 (the “**Motion to**  
 12 **Dismiss**”) [Docket No. 26];

13                   WHEREAS, the Motion to Dismiss is currently set to be heard on January 7,  
 14 2020, Appellants must file any response to the Motion to Dismiss by October 16,  
 15 2020, and Appellees must file any reply to Appellants’ response by October 23,  
 16 2020;

17                   WHEREAS, there currently are three motions to dismiss filed by the  
 18 Reorganized Debtors before the Court in connection with appeals taken of the  
 19 Confirmation Order: (i) *Theresa Ann McDonald v. PG&E Corp., et al.*, Case No. 20-  
 20 cv-04568; (N.D. Cal.) (Docket No. 5); (ii) *International Church of the Foursquare*  
 21 *Gospel, et al. v. PG&E Corp. et al.*, Case No. 20-cv-04569 (N.D. Cal.) (Docket No.  
 22 4); and (iii) *Canyon Capital Advisors LLC v. PG&E Corp. et al.*, Case No. 20-cv-  
 23 04949 (N.D. Cal.) (Docket No. 6) (collectively, the “**Reorganized Debtors’**  
 24 **Motions**”);

25                   WHEREAS, the Reorganized Debtors’ Motions all are scheduled to be heard  
 26 by the Court on October 29, 2020;

27                   WHEREAS, the parties submit that it would promote the efficient use of  
 28

1 judicial resources and be in the best interest of all parties for this Court to consider  
2 the Motion to Dismiss at the October 29, 2020 hearing along with the Reorganized  
3 Debtors' Motions.

4 **IT IS HEREBY STIPULATED:**

5 1. With the Court's permission, the hearing on the Motion to Dismiss shall  
6 be October 29, 2020.

7 2. Appellants must file any response to the Motion to Dismiss by October  
8 19, 2020.

9 3. Appellees must file any reply to Appellants' response to the Motion to  
10 Dismiss by October 23, 2020.

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

1 DATED: October 7, 2020

BROWN RUDNICK LLP

3 By: /s/ David J. Molton  
4 David J. Molton

5 *Counsel to the Fire Victim Trustee*

6 MACCONAGHY & BARNIER, PLC

8 By: /s/ John H. MacConaghy  
9 John H. MacConaghy

10 *Special Counsel for Official Committee of Tort  
11 Claimants*

12 WILMER CUTLER PICKERING HALE  
13 AND DORR LLP

14 By: /s/ Craig Goldblatt  
15 Craig Goldblatt

16 *Counsel to the Comcast Cable  
17 Communications, LLC and all affiliates*

19 NORTON ROSE FULBRIGHT US LLP

21 By: /s/ Rebecca J. Winthrop  
22 Rebecca J. Winthrop

23 *Attorneys for Adventist Health System/West  
24 and Feather River Hospital d/b/a Adventist  
25 Health Feather River*

1 REED SMITH LLP  
2

3 By: /s/ David E. Weiss  
4

5 David E. Weiss  
6

7 *Attorneys for Paradise Unified School  
8 District, Northern Recycling and Waste  
9 Services, LLC/Northern Holdings, LLC  
and Napa County Recycling and Waste  
Services, LLC/Napa Recycling and Waste  
Services, LLC*

10  
11  
12 Pursuant to Local Rule 5-1(i)(3), I, David J. Molton, attest that concurrence in filing  
13 this document has been obtained from the other signatories.  
14

15 Brown Rudnick LLP  
16

17 /s/ David J. Molton  
18 David J. Molton  
19

20  
21  
22  
23  
24  
25  
26  
27  
28

1 ORDER

2 WHEREAS, on October 7, 2020, Appellees and Appellants filed the *Joint*  
3 *Stipulation and Proposed Order Scheduling Hearing on Motion to Dismiss* (the  
4 “**Stipulation**”) requesting that the Motion to Dismiss be heard on October 29, 2020,  
5 along with the three other motions to dismiss to be heard by the Court on that date;

6 For the reasons set forth in the Stipulation, and good cause appearing therefor,

7 1. The Motion to Dismiss will be heard on October 29, 2020 at 2:00 p.m. (Pacific  
8 Time).

9 2. Appellants must file any response to the Motion to Dismiss by October 19,  
10 2020.

11 3. Appellees must file any reply to Appellants’ response to the Motion to Dismiss  
12 by October 23, 2020.

13 **IT IS SO ORDERED.**

14 Dated: October 9, 2020

